

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIJUE ADOLPHUS MCGHEE,

Plaintiff,

v.

R. JAIME-DAUMY, et al.,

Defendants.

Case No. [20-cv-05135-HSG](#)

**ORDER DENYING REQUEST FOR
JUDGMENT IN PLAINTIFF'S FAVOR**

Re: Dkt. No. 20

Plaintiff filed this *pro se* action pursuant to 42 U.S.C. § 1983 alleging that while he was housed at San Quentin State Prison ("SQSP"), SQSP officers Jaime-Daumy and Wren violated his constitutional rights. On March 22, 2021, the Court dismissed this action and entered judgment in favor of Defendants pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute this action and for failure to respond to the Court's January 7, 2021 Order ordering him to provide the Court with an updated address where he could be reached. Dkt. Nos. 16, 17. In the Order of Dismissal, the Court noted that Plaintiff had not communicated with the Court since August 11, 2020. Dkt. No. 16. The Court dismissed the action without prejudice to reopening if Plaintiff could demonstrate good cause for the failure to prosecute. Dkt. No. 16 at 3.

Nearly a year and a half later, Plaintiff has filed a letter with the Court asking for help with this case, stating that all his property has been stolen, Dkt. No. 19, and has also filed a motion requesting that judgment be issued in his favor because Defendants willfully failed to give him notice of his deposition despite receiving two extensions of time by the Court, Dkt. No. 20.

With respect to Dkt. No. 19, the Court has sent Plaintiff courtesy copies of the Court's order under separate cover. With respect to Dkt. No. 20, Plaintiff's request for judgment in his favor is DENIED as moot. This case is closed and judgment has already been entered in favor of


1 Defendants. To the extent that Plaintiff is seeking to reopen this case, he must demonstrate good
2 cause for failing to prosecute this case from August 11, 2020 until September 6, 2022. Defendants
3 are not responsible for determining Plaintiff's address of record and the record indicates that
4 Defendants made efforts to ensure that Plaintiff received their correspondence and filings, *see* Dkt.
5 No. 12-1 at 3.

6 The Court DENIES as moot Plaintiff's request for judgment in his favor because judgment
7 has already been entered in favor of Defendants. To the extent that Plaintiff seeks to reopen this
8 action, the Court DENIES this request without prejudice to Plaintiff re-filing this request
9 accompanied by a showing of good cause for failure to prosecute this case from August 11, 2020
10 until September 6, 2022.

11 This order terminates Dkt. No. 20.

12 **IT IS SO ORDERED.**

13 Dated: 9/14/2022

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15 HAYWOOD S. GILLIAM, JR.
16 United States District Judge
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